REMARKS

The Final Office Action mailed August 3, 2010 has been reviewed and carefully considered. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claims 1-2, 4-8 and 10-15 are pending in this application. Claims 1, 7 and 13 have been amended. Claims 3 and 9 have been cancelled without prejudice. New claim 15 has been added and is supported by the specification as filed, e.g., by page. 1, lines 9-24. No new matter has been added by the amendments.

§112 REJECTIONS

Claims 1-14 were rejected under 35 U.S.C. 112, first paragraph, due to the recited limitations of "wherein if it is determined that the signal does not include the second audio component, further comprising determining whether the first audio component of said signal was received as stereo left and right audio components."

Applicant respectfully disagrees.

It is respectfully asserted that FIG. 2, in particular, steps 202 to 204 supports the recited features. Steps 202 and 204 are shown as Decision Steps (illustrated with diamond shapes) and include a question mark, with subsequent flow paths being labeled as "Y" (yes) or "N" (no). Thus, a proper reading of steps 202 and 204 FIG. 2, when read in view of the corresponding portions of the specification (e.g., page 4) is as follows:

Decision Step 202: Do the decoded video/audio signals include a SAP signal? If yes, go to step 203. *If it is determined that the signals do NOT include a SAP signal, than go to Decision Step 204.*

Decision Step 204: *Determine whether the primary Audio signal was received and decoded as stereo left and right audio components?*

As shown in the above italicized portions, the recitation of wherein if it is determined that the signal does not include the second audio component, further comprising determining whether the first audio component of said signal was received as stereo left

and right audio components is clearly supported by the specification and FIGS. as filed.

Withdrawal of the 112 rejection is respectfully requested.

§103 REJECTIONS

Claims 1-14 were rejected under 35 U.S.C. §103 (a) as being unpatentable over

U.S. Patent No. 6,813,281 to Moon et al. (hereinafter Moon) in view of U.S. Patent No.

6,611,655 to Murase (hereinafter Murase). While Applicant respectfully disagrees with the

rejection, in the interest of furthering this case, the Applicant has made further clarifying

amendments to the independent claims 1, 7 and 13 to recite, *inter alia*:

"...determining whether the signal includes a secondary audio component
comprising secondary audio program content;
enabling recording of a first audio component of said signal as a mono audio
component and recording the secondary audio program content of said signal as a second
mono audio component if it is determined that the signal includes the secondary audio
program content, wherein if it is determined that the signal does not include the secondary
audio program content, further comprising;.."

In the Examiner's Response to Arguments, FIG. 3 of Moon was again cited.

However Applicant respectfully asserts that FIG. 3 of Moon only refers to a general showing

of signal output through decoders, NOT to any method of recording signals. What FIG. 3

demonstrates is simply that audio signals are output through decoders, e.g., 1 channel data

can be output as mono audio, 2 channel data can be output as left and right audio, etc., and

'dual mono data' (separate audio signals) can be output in separate channels CH0 and CH1.

In FIG. 3, Moon asserts that while the audio data of CH0 and CH1 are similar to the 2ch data,

the dual mono data is different from the 2ch data in that left and right audio signals are

related to each other in the 2ch data, whereas CH0 and CH1 are separate audio signals. For

example, Moon states that Korean audio data can be loaded onto CH0 and English onto CH1

in the dual mono channel, and that only one of the two channels is output of the CH0 data

and CH1 data are output through a left speaker and a right speaker, respectively.

FIG. 5 of Moon does discuss a prior art method of recording or reproducing a multi

voice audio signal (having main audio data and sub audio data) as dual mono audio data.

Moon states that when data is recorded, main audio data and sub audio data are encoded into

an audio data stream through a multi-voice encoder, with the main audio data being encoded

into the CD0 audio data and the sub-audio data being encoded into the CH1 audio data.

When data is reproduced, that audio data stream is decoded into the CD0 audio data and the

CH1 audio data through a multi-voice decoder, with the CH0 audio data being main audio

data and the CH1 audio data being sub-audio data. Here, it's assumed that a plurality of

audio data streams exist. Moon simply generally states:

> "As an example, when two audio data streams exist in an A/V data stream, the user
> can select one among the two channels. When the selected audio data stream is dual
> mono data, that is, sub-audio data streams are included, the user can select two
> channels."

Thus, Moon is merely reciting that where an audio data stream has a sub audio data

stream, the user selects two channels. There is no analysis or determination made with

regards to whether a sub-audio data stream is included in an audio data stream in the first

place, and there are NO provisions for the instances in which a sub-audio stream is NOT

included.

Indeed, Moon is silent with respect to any method of recording primary and SAP

audio from an NTSC signal, and fails to disclose or suggest at least determining whether the

signal includes a secondary audio program content, enabling recording of a first audio

component of said signal as a mono audio component and recording the secondary audio

program content of said signal as a second mono audio component if it is determined that

the signal includes the second audio component, wherein if it is determined that the signal

does not include the second audio component, further comprising determining whether the first audio component of said signal was received as stereo left and right audio components, as presently claimed in claims 1, 7 and 13. Indeed, the Examiner reaffirmed on page 5 of the Final Office Action mailed 8/3/10 that Moon 'fails to particularly teach the step of enabling recording of said first audio component as stereo audio components when only said first audio component is contained in said signal and it is determined that the first audio component was received as stereo left and right audio components.'

Unlike the presently claimed invention, while Moon generally discusses a method of selecting audio channels, the main purpose of Moon's channel selection process is simply to **make it possible to follow up a voice mode selected by a user** (i.e., to maintain the previously selected audio channel) even though a program or an audio data stream is changed.

The Examiner maintains that Murase allegedly cures the deficiencies of Moon, however, after careful review, Applicant respectfully disagrees.

The cited portions of Col. 5, lines 27-49 and lines 55-59 and Col. 6, lines 1-21 of Murase describe audio stream format and reproduction, namely, in FIG. 41 wherein a maximum of two audio streams can be recorded for a single video stream, that is, wherein audio stream 1 is a monaural audio channel and audio stream 2 comprises two audio channels (e.g., a stereo audio signal or two monaural streams). In FIG. 42(c) there are also two audio streams for the video stream; audio stream 1 is a single monaural channel while audio stream 2 contains two channels.

However, the Applicant has not found anywhere in Murase determining whether an audio/video signal includes a secondary audio program content, and wherein if the answer is negative, further determining whether the primary audio was decoded as stereo.

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Murase does not discuss and is not concerned with how a **single primary** audio component may be processed or recorded since it does not even contemplate such a situation. The issue addressed by Murase is how to record **plural audio streams** of different content for reproduction with a single video stream in an accurate manner, so that the user can thus know before playback starts what audio stream channel is preselected for playback, and can change the audio channel as desired before playback starts. Murase focuses on addressing the issue of selecting a desired audio stream to be reproduced, and it does so primarily via the inclusion of management information recorded to the disc so that information about the audio stream and audio channel configuration can be appropriately presented to the user.

In fact, nowhere in the cited portions nor anywhere in Murase are at least the following steps disclosed or suggested: determining whether the signal includes a secondary audio program content, enabling recording of a first audio component of said signal as a mono audio component and recording the secondary audio program content of said signal as a second mono audio component if it is determined that the signal includes the secondary audio program content, wherein if it is determined that the signal does not include the secondary audio program content, further comprising determining whether the first audio component of said signal was received as stereo left and right audio components, as presently claimed in claims 1, 7 and 13.

In view of at least the above, it is clear that claims 1, 7 and 13 and their respective dependent claims 2, 4-6, 8 and 10-12 and 14 are patentable and nonobvious over Moon and/or Murase for at least the above reasons.

In view of the foregoing, Applicant respectfully requests that the rejections of the claims set forth in the Final Office Action of August 3, 2010 be withdrawn, that pending

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Claims 1-2, 4-8 and 10-15 be allowed, and that the case proceed to early issuance of Letters

patent in due course.

It is believed that no further additional fees or charges are currently due. However,

in the event that any additional fees or charges are required at this time in connection with

the application, they may be charged to applicants' Deposit Account No. 07-0832.

Respectfully submitted,
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